IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 20828 of 2004

Between:

K.Suryanarayan, S/o Venkanna,
R/o Door No.2-24-6, Sinagar, Kakinada, East Godavari District

..... PETITIONER

AND

The Asst.Director of Mines and Geology, Rajahmundry, East Godavari District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more especially in the nature of Mandamus declaring the action of respondent in issuing impugned proceedings vide Notice No.2722/Q1/96 dated 26-10-2004 which was served on 5-11-2004 as illegal, improper, irrational and consequently set aside the same.

Counsel for the Petitioner:MR.P.UDAYA BHASKARA RAO

Counsel for the Respondent : GP FOR MINES AND GEOLOGY

The Court made the following :

-

ORDER:

-

Heard the learned counsel appearing for the petitioner and the learned Government Pleader appearing for the respondent.

Against the impugned order, an efficacious alternative remedy is available under the Statute. Without exhausting the said alternative remedy, the petitioner cannot invoke the jurisdiction of this court, under Article 226 of the Constitution of India.

Accordingly, the Writ Petition is disposed of granting leave and liberty to the petitioner. No costs.

Ka 11.11.2004.

To

1 The Asst.Director of Mines and Geology, Rajahmundry, East Godavari District

2. 2 CCs to G.P. for Mines and Geology, High Court Buildings, High Court of A.P, Hyderabad. (OUT)

4. 2 CD copies.